FILED 27 SEP '11 14:57 USDC-ORP

JS 44
(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

ESTATE OF RAY A. MILLER

DEFENDANTS

MULTNOMAH COUNTY, ET AL

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)
MULTNOMAH

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
RACE OF LAND INVOLVED

(c) ATTORNEYS (F
Leonard R. Berman
Attorney At Law
4711 SW Huber St. E-3
Portland, OR 97219

ATTORNEYS (IF KNOWN)

CV '11 - 1168 - AC

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

- [ ] 1 U.S. Government Plaintiff
- [ ] 2 U.S. Government Defendant
- [x] 3 Federal Question (U.S. Government Not a Party)
- [ ] 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	[ ] 1	[ ] 1	Incorporated or Principal Place of Business in This State	[ ] 4	[ ] 4
Citizen of Another State	[ ] 2	[ ] 2	Incorporated and Principal Place of Business in Another State	[ ] 5	[ ] 5
Citizen or Subject of a Foreign Country	[ ] 3	[ ] 3	Foreign Nation	[ ] 6	[ ] 6

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

42 USC 1983   8TH AM. MED. NEGLECT

V. NATURE OF SUIT (PLACE AN x IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 Insurance	**PERSONAL INJURY**	**PERSONAL INJURY**	[ ] 610 Agriculture	[ ] 422 Appeal 28 USC 158	[ ] 400 State Reappointment
[ ] 120 Marine	[ ] 310 Airplane	[ ] 362 Personal Injury— Med Malpractice	[ ] 620 Other Food & Drug	[ ] 423 Withdrawal 28 USC 157	[ ] 401 Antitrust
[ ] 130 Miller Act	[ ] 315 Airplane Product Liability	[ ] 365 Personal Injury—	[ ] 625 Drug Related Seizure of Property 21 USC 881		[ ] 430 Banks and Banking
[ ] 140 Negotiable Instrument					[ ] 450 Commerce/ICC Rates/etc.
[ ] 150 Recovery of Overpayment Enforcement of Judgment	[ ] 320 Assault, Libel & Slander	**PRODUCT LIABILITY**	[ ] 630 Liquor Laws	**PROPERTY RIGHTS**	[ ] 460 Deportation
[ ] 151 Medicare Act	[ ] 330 Federal Employers' Liability	[ ] 368 Asbestos Personal Injury Product Liability	[ ] 640 R.R. & Truck	[ ] 820 Copyrights	[ ] 470 Racketeer Influenced and Corrupt Organizations
[ ] 152 Recovery of Defaulted Student Loans	[ ] 340 Marine		[ ] 650 Airline Regs	[ ] 830 Patent	[ ] 810 Selective Service
	[ ] 345 Marine Product Liability	**PERSONAL PROPERTY**	[ ] 660 Occupational Safety/Health	[ ] 840 Trademark	[ ] 850 Securities/Commodities/ Exchange
(Excl. Veterans)		[ ] 370 Other Fraud	[ ] 690 Other		
	Liability	[ ] 371 Truth in Lending	**LABOR**	**SOCIAL SECURITY**	[ ] 875 Challenge 12 USC 3410
[ ] 153 Recovery of Overpayment of Veteran's Benefits	[ ] 350 Motor Vehicle	[ ] 380 Other Personal Property Damage	[ ] 710 Fair Labor Standards Act	[ ] 861 HIA (1395ff)	[ ] 891 Agricultural Acts
[ ] 160 Stockholders' Suits	[ ] 355 Motor Vehicle Product Liability	[ ] 385 Property Damage Product Liability	[ ] 720 Labor/Mgmt. Relations	[ ] 862 Black Lung (923)	[ ] 892 Economic Stabilization Act
[ ] 190 Other Contract	[ ] 360 Other Personal Injury		[ ] 730 Labor/Mgmt. Reporting & Disclosure Act	[ ] 863 DIWC/DIWW (405(g))	
[ ] 195 Contract Product Liability				[ ] 864 SSID Title XVI	
				[ ] 865 RSI (405(g))	[ ] 893 Environmental Matters
REAL PROPERTY	**CIVIL RIGHTS**	**PRISONER PETITIONS**			[ ] 894 Energy Allocation Act
[ ] 210 Land Condemnation	[ ] 441 Voting	[ ] 510 Motions to Vacate Sentence Habeas Corpus:		**FEDERAL TAX SUITS**	[ ] 895 Freedom of Information Act
[ ] 220 Foreclosure	[ ] 442 Employment		[ ] 740 Railway Labor Act	[ ] 870 Taxes (U.S. Plaintiff or Defendant)	[ ] 900 Appeal of Fee Determination Under Equal Access to Justice
[ ] 230 Rent Lease & Ejectment	[ ] 443 Housing/ Accommodations	[ ] 530 General	[ ] 790 Other Labor Litigation	[ ] 871 IRS—Third Party 26 USC 7609	
[ ] 240 Torts to Land		[ ] 535 Death Penalty	[ ] 791 Empl. Ret. Inc. Security Act		[ ] 950 Constitutionality of State Statutes
[ ] 245 Tort Product Liability	[ ] 444 Welfare	[ ] 540 Mandamus & Other			[ ] 890 Other Statutory Actions
[ ] 290 All Other Real Property	[x] 440 Other Civil Rights	[ ] 550 Other			

VI. ORIGIN (PLACE AN x IN ONE BOX ONLY)

- [x] 1 Original Proceeding
- [ ] 2 Removed from State Court
- [ ] 3 Remanded from Appellate Court
- [ ] 4 Reinstated or Reopened
- [ ] 5 Transferred from another district (specify)
- [ ] 6 Multidistrict Litigation
- [ ] 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A
UNDER F.R.C.P. 23

CLASS ACTION

DEMAND $

Check YES only if demanded in complaint:
JURY DEMAND: [ ] YES [ ] NO

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____ DOCKET NUMBER _____

ATE
9-27-11

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT